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Counsel for Defendant Isaac

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TOMMY ISAAC,

Defendant.

Case No.: CR 19-00031 VC

**STIPULATION AND [PROPOSED]
ORDER RE: HEARINGS ON
CONVICTION ALTERNATIVE
PROGRAM EVALUATION AND
SENTENCING**

Court: Courtroom 4, 17th Floor

The parties stipulate as follows: Defendant Tommy Isaac was released to New Bridge Rehabilitation Center on July 30, 2019 and is currently participating in its 90-day rehabilitation program. Mr. Isaac ultimately wishes to be evaluated for CAP and then referred to this District's Conviction Alternative Program (CAP) by the Court. The government opposes a CAP evaluation and referral and wishes to brief the matter or otherwise be heard on the issue. U.S. Pretrial Services requires six to eight weeks to conduct a CAP evaluation. Sentencing is currently scheduled for September 17, 2019 at 10:30 a.m.

1 The parties therefore jointly request that the Court set a hearing on Mr. Isaac's request to be
2 evaluated for CAP on October 1, 2019 at 10:30 a.m., followed by a hearing on his request for a
3 referral to CAP on November 26, 2019. The parties agree that a sentencing date may be after Mr.
4 Isaac's request for a CAP evaluation and referral is resolved. No later than August 22, 2019, the
5 parties also agree to file a stipulation concerning *United States v. Rehaif* and its impact on the plea in
6 this matter.

7
8
9 IT IS SO STIPULATED.

10
11 Dated: August 12, 2019

12 STEVEN G. KALAR
13 Federal Public Defender
Northern District of California

14 /S
15 _____
DAVID RIZK
Assistant Federal Public Defender

16
17 Dated: August 12, 2019

18 DAVID L. ANDERSON
19 United States Attorney
Northern District of California

20 /S
21 _____
LINA PENG
Assistant United States Attorney

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The sentencing date in this matter is vacated and shall be reset at a later date. Instead, the Court shall hear Defendant Tommy Isaac's request to be evaluated for the Conviction Alternatives Program (CAP) on October 1, 2019, at 10:30 a.m., and if necessary, the Court shall hear his request for a referral to CAP on November 26, 2019. The parties shall file a stipulation concerning *United States v. Rehaif* and its impact on the plea in this matter by August 22, 2019.

IT IS SO ORDERED.

Dated: August 27, 2019



VINCE CHHABRIA
United States District Judge